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Entertainment & Media

JUNE 25, 2008

The Beverly Hills Hotel and Bungalows

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Special Appearance
by comic book legend
STAN LEE!



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PROGRAM SCHEDULE

8:00-9:00 Registration

9:15-9:30 Welcome & Opening Remarks

James D. Nguyen, Partner, Foley & Lardner LLP

9:30-10:30 Fan Websites: The Good, The Bad and The Really Ugly

For all aspects of entertainment, fan websites have been proliferating at an exponential rate and they can be wonderful environments for fan expression. For entertainment companies, fan websites can be a valuable way to build visibility and to promote their entertainment brands, as well as to promote specific projects. But what happens when fans go too far? This panel will explore some of the fascinating yet challenging issues emerging with fan web sites:

- How can a rights owner manage fan conduct without alienating the very fans it wants to embrace?
- When are fan-created derivative works fair use and when are they potentially dangerous infringements for which action must be taken?

MODERATOR: **Cydney Tune**, Counsel, Pillsbury Winthrop Shaw Pittman LLP

PANELISTS: **Jay Cooper**, Shareholder, Greenberg Traurig, LLP

Scott Martin, Executive Vice President, Intellectual Property, Paramount Pictures Corp.

Michael Kohn, Former Senior Vice President Business Affairs & General Counsel, GSN: The Network for Games

David Shall, Executive Vice President Operations/General Counsel, FremantleMedia North America

10:30-11:30 Good Character: Creating and Protecting Characters in the Digital Age

Memorable characters have always been the essence of filmed entertainment. But in the world of digital media, characters have taken on an even greater value. They are assets on which financing is based; they are used to one in video and online games; they appear, in whole or in part, in a wide variety of user generated content, even as avatars.

This session will feature a special guest appearance by and discussion with Stan Lee, the creator of some of the most memorable and beloved comic book characters of all time. Mr. Lee has not only developed the stories and characters that have led to some of the most popular films of the past decade – he is now creating new characters for digital exploitation. He will discuss his philosophy of user participation, his transition to "new" media, and some of the challenges new media present for character creation and protection.

Following that discussion, the session will provide a brief legal overview about:

- The law of character protection;
- Copyright and fair use issues peculiar to character exploitation;
- Protecting a character "universe," and;
- Negotiating character "branding" deals in new media.

PANELISTS: **Carole Handler**, Partner, Wildman, Harrold, Allen & Dixon LLP

Special Guest Appearance by comic book legend STAN LEE!

11:30-11:45 Break

11:45-12:45 La Vida Virtual: Hot IP Issues in Virtual Worlds and Online Games

Living "La Vida Virtual" is all the rage. Virtual worlds allow online users to create avatars to represent their personas, socially interact, conduct business, play games and inhabit lives online with other people worldwide. Along with this new virtual territory comes fascinating questions for intellectual property lawyers. This panel will address some of those emerging questions, including:

- Who owns content and other IP assets created in virtual worlds?
- Can "real life" trademark rights be enforced against infringement in online life?
- What are the rules governing virtual property and virtual currency transactions, and is regulation needed?

- How effective are end user license agreements for governing virtual IP rights?
- What responsibility do online service providers have for IP infringement that happens in their virtual worlds?

PANELISTS: **James D. Nguyen**, Partner and Vice-Chair, Intellectual Property Litigation, Foley & Lardner LLP
Mei-Lan Stark, Senior Vice President, Intellectual Property, Fox Group Legal
Kirk Sullivan, Vice President and Executive Counsel – Technology, The Walt Disney Company

12:45-2:00 **Networking Luncheon**

2:00-3:00 **Culture Clash II: IP Protection v. Free Access Debate**

While some believe Intellectual Property rights encourage creativity (copyrights) and innovation (patents and trade secrets) and protect consumers from being deceived by misleading advertising (trademarks), others believe IP rights have been and are being expanded in dangerous ways and should be reined in to protect and encourage other societal rights and goals, such as fair use, the right to share information, the right to speak freely, the right to innovate, and the right to create new IP. In this interactive session, thought leaders will:

- Debate whether technology is empowering us for good or evil
- Debate cutting-edge issues, such as the tension between IP rights and free speech innovation
- Discuss the interplay of aggressive intellectual property enforcement and creativity and competition
- Provide an update on important litigation and FTC enforcement actions touching on these issues.

MODERATOR: **Rebecca Edelson**, Partner, Steptoe & Johnson LLP

PANELISTS: **Carole Handler**, Partner, Wildman, Harrold, Allen & Dixon LLP
Dean Marks, Senior Vice President, Intellectual Property, Corporate Business Development & Strategy, Warner Bros. Entertainment, Inc.
Matthew Neco, Vice President & General Counsel, Stirling Bridge, Inc. and General Counsel to its subsidiaries, including StreamCast Networks, Inc. (Morpheus® P2P)

3:00-4:00 **The Power of the Patent**

Patent has been gaining growing importance in the entertainment and new media industries. In this panel, the speakers will address:

- Illustrations of entertainment and new media patents
- Recent developments in patent law that have potential impact on these industries
- Practical advice concerning protecting valuable patent rights and avoiding infringement claims by others

PANELISTS: **Georgann Grunebach**, Vice President, Intellectual Property, Fox Group Legal
Robert L. Kovelman, Partner, Steptoe & Johnson LLP

4:00-4:15 **Break**

4:15-5:15 **Clearance Issues in Documentary Filmmaking**

Documentary filmmakers often face difficult intellectual property legal issues. The experts on this panel will discuss some of these challenges, including:

- Can a product be shown on screen without permission?
- Can a filmmaker claim a fair use defense if there is incidental music or artwork in the background?
- Are releases necessary when videotaping persons in public without their consent?
- When can hidden cameras be used or a phone call recorded?
- How much risk are insurers and distributors willing to accept?
- How can a filmmaker minimize exposure for defamation or invasion of privacy?

PANELISTS: **Mark Litwak**, Law Offices of Mark Litwak & Associates
Penelope Spheeris, Director and Documentary Filmmaker
Evan Greenspan, EMG, Inc.

5:15-6:30 **Hosted Cocktail Reception**

INTELLECTUAL PROPERTY IN Entertainment & Media

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